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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- X

UNITED STATES OF AMERICAN

- against –

ALBERTO RANDAZZO,

Defendant.

- X

COMPLAINT

M. No. ________________

(T. 18, U.S.C., §§ 2252(a)(2) and 2252(b)(1))

EASTERN DISTRICT OF NEW YORK, SS:

Christopher McClellan, being duly sworn, deposes and states that he is a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"), duly appointed according to law and acting as such.

On or about and between October 30, 2013 and February 28, 2014, within the Eastern District of New York, the defendant ALBERTO RANDAZZO did knowingly and intentionally receive visual depictions that had been shipped or transported in or affecting interstate or foreign commerce, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct and such visual depictions were of such conduct.

(Title 18, United States Code, Sections 2252(a)(2) and 2252(b)(1)). The source of your deponent's information and the grounds for his belief are as follows:[1]

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"). I have been employed by HSI since 2006. I have been assigned to investigate violations of criminal law relating to the sexual exploitation of

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[1] Because this complaint is submitted for the limited purpose of establishing probable cause, I have not set forth each and every fact learned during the course of the investigation.

children. I have gained expertise in this area through training in classes and daily work related to these types of investigations. As a result of my training and experience, I am familiar with the techniques and methods of operations used by individuals involved in criminal activity to conceal their activities from detection by law enforcement officers. As part of my responsibilities, I have been involved in the investigation of numerous child pornography cases and have reviewed thousands of photographs depicting children (less than eighteen years of age) being sexually exploited by adults. Through my experience in these investigations, I have become familiar with methods of determining whether a child is a minor.

2. I have personally participated in the investigation of the offenses discussed below. I am familiar with the facts and circumstances of this investigation from: (a) my personal participation in this investigation and (b) reports made to me by other law enforcement authorities.

II. THE INVESTIGATION

A. PEER TO PEER FILESHARING

3. Peer to peer file sharing ("P2P") is a method of communication available to Internet users through the use of special software. Computers linked together through the Internet using this software form a network that allows for the sharing of digital files between users on that network. A user first obtains the P2P software, which can be downloaded from the Internet. In general, P2P software allows the user to set up files on a computer to be shared with others running compatible P2P software. A user obtains files by opening the P2P software on the user's computer, and conducting searches for files that are currently being shared on another user's computer.

4. One aspect of P2P file sharing is that multiple files may be downloaded in parallel, which permits downloading more than one file at a time.

5. A P2P file transfer is assisted by reference to an IP address. This address, expressed as four sets of numbers separated by decimal points, is unique to a particular computer during an online session. The IP address provides a unique location making it possible for data to be transferred between computers.

6. In order for the P2P networks to accomplish the reassembly of files described above, files being shared on the P2P network are processed through the client software and, a hashed algorithm value ("hash value(s)") is computed for each file being shared, which uniquely identifies it on the network. A file processed by this hash algorithm operation results in the creating of an associated hash value often referred to as a digital signature, akin to a fingerprint. P2P software uses these hash values to determine whether files hosted on different computers with different names are, in fact, the same file.

7. The P2P program involved in this investigation uses the SHA-1 algorithm. SHA-1 is a mathematical encryption method developed by government agencies, including the National Security Agency, to assist in the unique identification of computer files. A file processed by SHA-1 operation results in the creation of an associated hash value that is unique for each file. As a result by comparing a SHA-1 hash values, it is possible to determine whether two files are the same regardless of their file names. SHA-1 has values provide a certainty exceeding 99.1% that two or more files with the same SHA-1 hash value are identical copies of the same file.

8. A number of law enforcement tools and techniques save publically broadcast information on the P2P networks and stores those records in a database ("P2P Database"), which can be searched by law enforcement. The data, which is stored, includes the IP address of the user, the file names and hash values of the files being made available by that user to other users of the P2P networks, and the date and time associated to each of the records. Those hash values are then compared to hash values of files known by law enforcement to contain child pornography.

9. The P2P Database, which contains this information, is contributed to by hundreds of trained law enforcement officers in North America. I believe and I have been informed by agents experienced with this system that the P2P database is a reliable tool for accurately identifying child pornography files by hash value.

B. PROBABLE CAUSE

10. On or about February 25, 2014, I accessed the P2P Database and searched for users with IP addresses in the New York City metropolitan area. I found records relating to a user who had used the IP address 98.14.18.178. The P2P Database contained information that, between October 30, 2013 and February 6, 2014, the user utilizing that IP address had downloaded approximately 30 files that, based upon their hash values, are known to contain child pornography.

11. Specifically, the P2P Database showed the following:

a. On February 6, 2014, the user downloaded a file named "**Vdbest - Pedomom - More Pedo Mom Sucks.jpg,**" with the hash value: SZKCR4MTLXKLY5SM6TIY6ML3GMW7KGLI. That file is known by law enforcement to be a black and white image file that depicts a naked pre-pubescent girl who is visible from the waist up. The young girl is sitting on a couch and also on the couch is a naked adult female. The young girl appears to be between 10 and 12 years of age, based upon her body size and her slightly developing breast, which is exposed. The adult female is forcing the young girl's left hand and fingers into the adult female's vagina. The adult female's breasts, anus and vagina are exposed.

b. On February 3, 2014, the user downloaded a file named "**(sdpa) mom-old sister and little kid-amily sex pthc.mpg,**" with hash value QNQRSRVFY3HMZPXPRLUYCXE57LHHZWFW. That file is known by law enforcement to be a video that is approximately 5 minutes and 46 seconds in length. The video is comprised of multiple scenes involving the same people. Scene One depicts, two nude adult females and a nude prepubescent boy approximately 7 years of age are lying on a bed fondling each other. The boy fondled one adult's genital area while the other adult fondled the prepubescent boy's penis. Scene Two depicts two nude adult females lying on a bed. One female was fondling the breast of the other. A clothed adult male was observed performing oral sex and fondling the vagina of the female who was fondling the adult's breasts. Scene Three depicts a nude prepubescent boy and two nude adult females in a bath tub bathing one another. Scene Four depicts a nude adult male lying on a bed while a nude female on his right performed oral sex. Another nude female on his left was observed fondling the adult male's penis. The females appear to be around 14 or 15 years of age. Scene Five depicts an adult female performing oral sex on a prepubescent boy's penis. Meanwhile an adult female lying nearby is masturbating with an artificial penis. Scene Six depicts a pubescent female straddling an adult male and engaging in vagina intercourse. This scene concludes with the adult male ejaculating onto the girl's abdomen.

c. On January 30, 2014, the user downloaded a file named "**pthc NEW sisters maria & ellen 11-12yo lsm lsr bd company pedo childlover anal_2.jpg,**" with hash value P6CO7V26RUT756QFCH5OJJ3CVIT2FKJY. That file is known by law enforcement to be an image depicting a partially nude prepubescent Caucasian girl approximately 9 to 11 years of age kneeling and bending over on a bed. The girl's vagina and anus are visible.

12. Open source database searches revealed the IP address 98.14.18.178 was registered to Time Warner Cable.

13. Records obtained from Time Warner Cable by administrative subpoena showed that the IP address 98.14.18.178 was subscribed to the defendant for these dates. The name associated with this IP address was ALBERTO RANDAZZO and the address was RANDAZZO's residence.

14. On February 27, 2014, the Honorable Joan M. Azrack signed a search warrant for the defendant's residence. On February 28, 2014, HSI agents executed the search warrant. Agents recovered computer equipment from the defendant's residence, which contained images of child pornography.

15. In addition, during the search, agents spoke to the defendant. The agents provided the defendant with his Miranda rights, which he agreed to waive. The defendant then admitted, in sum and substance and in part, that he had downloaded videos containing child pornography. He further indicated that the last video he had downloaded and viewed depicted a mother sexually abusing her three or four year old child.

16. A criminal history check shows that on February 15, 2013, Alberto Randazzo was arrested by the New York City Police Department. On February 19, 2013, he was arraigned on 23 counts of Promoting a Sexual Performance by a Child Less Than 17 Years of Age, in violation of New York Penal Law 263.15, 23 counts of Possessing a Sexual Performance of a Child Less Than 16 Years of Age, in violation of New York Penal Law 263.16; and 11 counts of Use of a Child in a Sexual Performance in violation of 263.05. The defendant is currently on bail for these charges.

17. I have been advised by an officer of the New York City Police Department that the defendant's charges relate to the defendant directing women to sexually abuse their

prepubescent children. The officers conducted a search warrant on the defendant's residence in February 2013. Following that search, the officers recovered videos, internet chat sessions, and text messages in which the defendant directed women to sexually abuse their children. Officers also recovered numerous images depicting child pornography.

WHEREFORE, your deponent respectfully requests that the defendant ALBERTO RANDAZZO be dealt with according to law.

Christopher McClellan
Special Agent
United States Department of Homeland Security, Homeland Security Investigations

Sworn to before me this
28th day of February, 2014

THE HONORABLE ~~JOAN M. AZRACK~~ CHERYL POLLAK
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK